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RECEIVED

August 26, 2014

AUG 27 2014

The Honorable Daniel E. Shearouse
Clerk of Court
S.C. Supreme Court
P.O. Box 11330
Columbia, SC 29211

S.C. SUPREME COURT

Re: Breakfield, as Attorney-in-Fact v. Woods; Supreme Court case no. 2014-001039
Court of Appeals case no. 2012-212318

Woods v. Hinson, et. al.; Supreme Court case no. 2014-001246
Court of Appeals case no. 2012-212429

Dear Mr. Shearouse:

For your records I enclose four Orders from the Court of Appeals (two in each of the above-referenced matters.) I do not know if the Court of Appeals delivers such orders to your court.

For context, the Supreme Court dismissed Mr. Woods Petitions for Writ of Certiorari in each of the cases. The Court of Appeals then issued Remittiturs. Mr. Woods then filed in your court motions to reinstate his appeals, and he filed in the Court of Appeals motions to recall the Remittiturs.

The enclosed Orders deny the motions to recall Remittiturs and grant my clients' motions for appeal costs. The motions to reinstate appeals remain pending in your court.

Very truly yours,



B. Michael Brackett

Enclosures

cc. Robert H. Breakfield, Esquire
Mell Woods

The South Carolina Court of Appeals

Robert H. Breakfield, as attorney-in-fact, Respondent,

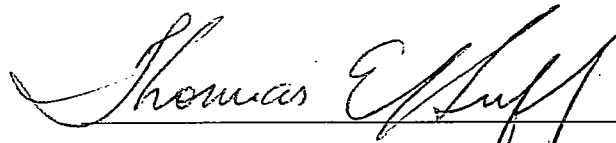
v.

Mell Woods, Appellant.

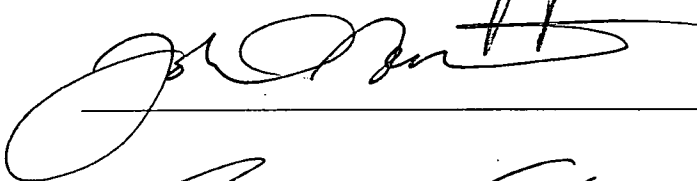
Appellate Case No. 2012-212318

ORDER

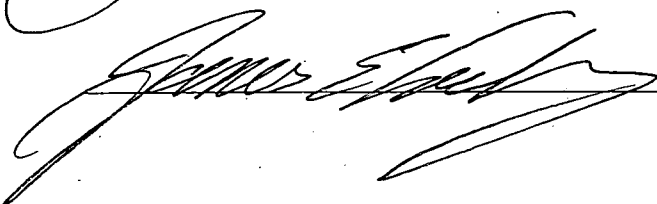
Pursuant to Rule 222 of the South Carolina Appellate Court Rules, the motion for costs filed by Respondent is granted in the amount of \$1,075.89 against Appellant Mell Woods. The lower court or tribunal is directed to add this award of costs to the remittitur.



J.



J.




J.

Columbia, South Carolina

cc: Mell Woods
B. Michael Brackett, Esquire
Sue K. Carpenter

FILED

8/25/14



The South Carolina Court of Appeals

Robert H. Breakfield, as attorney-in-fact, Respondent,

v.

Mell Woods, Appellant.

Appellate Case No. 2012-212318

ORDER

On April 24, 2014, this Court denied Appellant's petition for rehearing. The Supreme Court granted Appellant an extension to file his petition for writ of certiorari until June 21, 2014. On June 27, 2014, the Supreme Court dismissed the matter because Appellant failed to file a timely petition for writ of certiorari as required by Rule 242 of the South Carolina Appellate Court Rules. This Court sent the remittitur down on that day. Appellant has now filed a motion to recall the remittitur.

A remittitur cannot be recalled except upon "a very strong showing . . . that remittitur was sent down through some mistake or inadvertence on the part of this Court or its officer." *State v. Keels*, 39 S.C. 553, 17 S.E. 802 (1893). Appellant has failed to make such a showing. Because Appellant failed to file a timely petition for writ of certiorari with the Supreme Court, remittitur was properly sent, and this Court no longer has jurisdiction over the case. Appellant's motion to recall remittitur and reinstate the appeal, therefore, is denied.

Thomas E. Huff J.
[Signature] J.
[Signature] J.

Columbia, South Carolina

cc: Mell Woods
B. Michael Brackett, Esquire
Sue K. Carpenter

FILED
8/25/14 

